

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

No. 2017-2145

CISCO SYSTEMS, INC.

v.

ARISTA NETWORKS, INC.

DOCKETING STATEMENT

This Docketing Statement must be completed by all counsel and filed with the court within 14 days of the date of docketing. When the United States or its officer or agency is a party, this Docketing Statement must be completed by all counsel and filed with the court within 30 days of docketing. All questions must be answered or the statement will be rejected.

Name of the party you represent Arista Networks

Party is (select one)

☐ Appellant/Petitioner☐ Cross-Appellant☒ Appellee/Respondent☐ Intervenor

Tribunal appealed from and Case No.

USDC for the N.D. California, Case No. 5:14-cv-5344 (BLF)Date of Judgment/Order Dec. 19, 2016Type of Case Patent/CopyrightRelief sought on appeal AffirmanceRelief awarded below (if damages, specify) The district court did not award Cisco any relief.

Briefly describe the judgment/order appealed from The district court entered judgment in favor of Arista on Cisco's claims of copyright and patent infringement.

Nature of judgment (select one)

☒ Final Judgment, 28 USC 1295☐ Rule 54(b)☐ Interlocutory Order (specify type) _____☐ Other (explain; see Fed. Cir. R. 28(a)(5)) _____

FORM 26. Docketing Statement**Form 26**
Rev. 10/16

Name and docket number of any related cases pending before this court plus the name of the writing judge if an opinion was issued.

If none, please state none. None.

Brief statement of the issues to be raised on appeal Whether sufficient evidence supported the jury's verdict, or whether the judgment should be affirmed on alternative grounds.

Have there been discussions with other parties relating to settlement of this case? ☒ Yes ☐ No If "yes," when were the last such discussions?

☐ Before the case was filed below?

☒ During the pendency of the case below?

☐ Following the judgment/order appealed from?

If "yes," were the settlement discussions mediated? ☐ Yes ☒ No

If they were mediated, by whom? N/A

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

Please explain why you believe the case is or is not amenable to mediation.

The parties' previous discussions have not suggested a likelihood of a mediated outcome.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

FORM 26. Docketing Statement

Form 26
Rev. 10/16

I certify that I filed this Docketing Statement with the Clerk of the United States Court of Appeals for the Federal Circuit and served a copy on counsel of record, this

29 day of June 2017

by:

(manner of service)

Brian Ferrall

/s/ Brian Ferrall

Name of Counsel

Signature of Counsel

Law Firm

Keker, Van Nest & Peters

Address

633 Battery Street

City, State, ZIP

San Francisco, CA 94111

Telephone Number

(415) 391-5400

FAX Number

(415) 397-7188

E-mail Address

BFerrall@keker.com

Reset Fields

CERTIFICATE OF SERVICE

I hereby certify that on June 30, 2017, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Federal Circuit by using the appellate CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

s/Brian Ferrall

Brian Ferrall